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Shinkichi Ikeda

MAT-8765US

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RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE, PA 19482

EXAMINER

LAU, YUNGSANG

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/553,542	Applicant(s) IKEDA, SHINKICHI	
	Examiner YUNGSANG LAU	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-9, 11-14, 16, 17, 19-23, and 32** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0176095 A1 to Yamada *et al.* ("Yamada").

As to **claim 1**, Yamada discloses an address information setting method comprising: a step of detecting a user input from a user (p.5, [0068]); a step of selecting a home agent to manage a mobile terminal from among routers to which the mobile terminal is connected, the selected home agent being chosen from a list of the routers responsive to the detected user input (p.5, [0070]); a step of generating a home address from the prefix distributed by the selected home agent (p.5, [0077]); and a step of carrying out a mobile IP procedure using the selected home agent and the generated home address (p.5, [0077]).

As to **claim 2**, Yamada discloses an address information setting method according to claim 1, further comprising a step of acquiring router information

from a network to which the mobile terminal is connected, when the user input is detected (p.5, [0070]).

As to **claim 3**, Yamada discloses an address information setting method according to claim 1, wherein in the selection of the home agent, the home agent is selected from among the routers whose flag indicating that it is a home agent is on, this flag included in acquired information regarding the routers (p.2-3, [0039]).

As to **claim 4**, Yamada discloses an address information setting method according to claim 3, wherein in the selection of the home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from one with a highest priority (p.3, [0042]).

As to **claim 5**, Yamada discloses an address information setting method according to claim 3, wherein in the selection step of the home agent, the home agent is selected arbitrarily from among the routers whose flag is on (p.2-3, [0039]).

As to **claim 6**, Yamada discloses an address information setting method according to claim 3, further comprising a step of acquiring, from a user, criteria for selecting the home agent from among the routers whose flag is on, wherein in the step of selecting a home agent, a home agent is selected according to the criteria (p.4, [0067]).

As to **claim 7**, Yamada discloses an address information setting method according to claim 1, further comprising a step of notifying the user when the selection of the home agent is completed (p.4, [0048], the on-communication address management table).

As to **claim 8**, Yamada discloses an address information setting method according to claim 2, wherein the selection of the home agent is performed using router information acquired during a time period designated by the user (p.3, [0044], binding management part).

As to **claim 9**, Yamada discloses a mobile terminal comprising: an input unit through which a user inputs a trigger for setting information regarding a home agent (p.5, [0068]); an information setting unit that selects a home agent to manage the mobile terminal from among the routers to which the mobile terminal is connected when the mobile terminal receives the trigger (p.5, [0070]), and sets the address of the home agent and a home address which is generated from the prefix distributed by the home agent as information regarding the home agent, the selected home agent being chosen from a list of the routers responsive to the user inputting the trigger (p.5, [0077]); and mobile IP processing means that carries out a mobile IP procedure using the information regarding the home agent (p.5, [0077]).

As to **claim 11**, Yamada discloses a mobile terminal according to claim 9, wherein the information setting unit selects the home agent from among routers

whose flag indicating that the home agent is included in the router information of the router information response messages is on (p.2-3, [0039]).

As to **claim 12**, Yamada discloses a mobile terminal according to claim 11, wherein in the selection of the home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from one with a highest priority (p.3, [0042]).

As to **claim 13**, Yamada discloses a mobile terminal according to claim 11, wherein the information setting unit selects the home agent arbitrarily from among the routers whose flag is on (p.2-3, [0039]).

As to **claim 14**, Yamada discloses a mobile terminal according to claim 11, wherein through the input unit the user enters selection criteria for the selection of the home agent to be performed by the information setting unit, and the information setting unit performs the selection of the home agent based on the selection criteria (p.4, [0067]).

As to **claim 16**, Yamada discloses a mobile terminal according to claim 9, further comprising a display unit that notifies the user that setting of information regarding the home agent is completed (p.4, [0048], the on-communication address management table).

As to **claim 17**, Yamada discloses a mobile terminal according to claim 9, wherein the input unit designates a time period in which information regarding the

home agent is set, and the information setting unit sets the information only in the designated time period (p.3, [0044], binding management part).

As to **claim 19**, Yamada discloses an address information setting method according to claim 2, wherein in the selection of selecting the home agent, the home agent is selected from among the routers whose flag, indicating that it is the home agent, is on, the flag being included in acquired information regarding the routers (p.2-3, [0039]).

As to **claim 20**, Yamada discloses an address information setting method according to claim 19, wherein in the selection of the home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from one with a highest priority (p.3, [0042]).

As to **claim 21**, Yamada discloses an address information setting method according to claim 19, wherein in the selection step of selecting the home agent, the home agent is selected arbitrarily from among the routers whose flag is on (p.2-3, [0039]).

As to **claim 22**, Yamada discloses an address information setting method according to claim 19, further comprising a step of acquiring, from a user, criteria for selecting the home agent from among the routers whose flag is on, wherein in the step of selecting the home agent, the home agent is selected according to the criteria (p.4, [0067]).

As to **claim 23**, Yamada discloses an address information setting method according to claim 2, further comprising a step of notifying a user when the selection of the home agent is completed (p.4, [0048], the on-communication address management table).

As to **claim 32**, Yamada discloses the method according to claim 1, further comprising: indicating in the list of routers whether each home agent from among the routers supports mobile routing (p.3, [0042]); and establishing a connection of the mobile router to another home agent that does not support mobile routing when the mobile router changes operations from those of a mobile router function to those of a mobile terminal function (p.4, [0055], [0056]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. **Claims 10, 15, 18, 24-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0176095 A1 to Yamada *et al.* ("Yamada") in view of U.S. Patent No. 7,277,416 B1 to Chang *et al.* ("Chang").

As to **claim 10**, Yamada discloses a mobile terminal according to claim 9.

Yamada does not expressly disclose further comprising: a transmitting unit that transmits a router information request message for requesting router information from a network to which the mobile terminal is connected, when the trigger from the input unit is received; and a receiving unit that receives router information response messages that are responses to the router information request message, wherein the information setting unit selects a home agent to manage the mobile terminal from among the routers that have transmitted the router information response messages.

Chang discloses further comprising: a transmitting unit that transmits a router information request message for requesting router information from a network to which the mobile terminal is connected, when the trigger from the input unit is received (column 5, lines 46-54); and a receiving unit that receives router information response messages that are responses to the router information request message, wherein the information setting unit selects a home agent to manage the mobile terminal from among the routers that have transmitted the router information response messages (column 6, line 56 - column 7, line 16).

Yamada and Chang are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to use the request and response as taught by Chang. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Chang to make the above modification.

As to **claim 15**, Yamada discloses a mobile terminal according to claim 9.

Yamada does not expressly disclose wherein the input unit is a soft key on a screen, a button set in a main body, or a switch set in the main body.

Chang discloses wherein the input unit is a soft key on a screen, a button set in a main body, or a switch set in the main body (column 16, lines 30-38).

Yamada and Chang are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to use the handset as taught by Chang. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Chang to make the above modification.

As to **claim 18**, Yamada discloses a mobile terminal according to claim 17.

Yamada does not expressly disclose wherein the time period is a period in which a soft key, a button, or a switch used as the input unit is in an 'ON' state.

Chang discloses wherein the time period is a period in which a soft key, a button, or a switch used as the input unit is in an 'ON' state (column 16, lines 59-60).

Yamada and Chang are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to use the handset as taught by Chang. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Chang to make the above modification.

As to **claim 24**, Yamada as modified by Chang discloses a mobile terminal according to claim 10, wherein the information setting unit selects the home agent from among the routers whose flag, indicating that the home agent is included in the router information of the router information response messages, is on (Yamada, p.2-3, [0039]).

As to **claim 25**, Yamada as modified by Chang discloses a mobile terminal according to claim 24, wherein in the selection of the home agent, from

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among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from one with a highest priority (Yamada, p.3, [0042]).

As to **claim 26**, Yamada as modified by Chang discloses a mobile terminal according to claim 24, wherein the information setting unit selects the home agent arbitrarily from among the routers whose flag is on (Yamada, p.2-3, [0039]).

As to **claim 27**, Yamada as modified by Chang discloses a mobile terminal according to claim 24, wherein through the input unit the user enters selection criteria for the selection of the home agent to be performed by the information setting unit, and the information setting unit performs the selection of the home agent based on the selected criteria (Yamada, p.4, [0067]).

As to **claim 28**, Yamada discloses a mobile terminal according to claim 10.

Yamada does not expressly disclose wherein the input unit is a soft key on a screen, a button set in a main body, or a switch set in the main body.

Chang discloses wherein the input unit is a soft key on a screen, a button set in a main body, or a switch set in the main body (column 16, lines 30-38).

Yamada and Chang are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

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At the time of invention, it would have been obvious to a person of ordinary skill in the art to use the handset as taught by Chang. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Chang to make the above modification.

As to **claim 29**, Yamada as modified by Chang discloses a mobile terminal according to claim 10, further comprising a display unit that notifies the user that setting of information regarding the home agent is completed (Yamada, p.4, [0048], the on-communication address management table).

As to **claim 30**, Yamada as modified by Chang discloses a mobile terminal according to claim 10, wherein the input unit designates a time period in which information regarding the home agent is set, and the information setting unit sets the information only in the designated time period (Yamada, p.3, [0044], binding management part).

As to **claim 31**, Yamada discloses a mobile terminal according to claim 30.

Yamada does not expressly disclose wherein the designated time period is a period in which a soft key, a button, or a switch used as the input unit is in a state 'ON'.

Chang discloses wherein the designated time period is a period in which a soft key, a button, or a switch used as the input unit is in a state 'ON' (column 16, lines 59-60).

Yamada and Chang are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to use the handset as taught by Chang. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Chang to make the above modification.

Response to Arguments

6. Applicant's arguments filed 12/8/2008 have been fully considered but they are not persuasive.

On p.9 of applicant's remarks, applicant argued that Yamada teaches away from the selection of a home agent responsive to detected user input.

In response, Yamada indeed teaches the selection of a home agent responsive to detected user input because the user is allowed to change the values for the home-agent change judgment conditions (p.5, [0068]).

7. Applicant's arguments with respect to **claims 1-31** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YUNGSANG LAU whose telephone number is (571)270-3316. The examiner can normally be reached on Monday - Friday 9:30a.m. - 6:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez Gutierrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YL

/Rafael Pérez-Gutiérrez/
Supervisory Patent Examiner, Art Unit 2617